

VZCZCXYZ0000
PP RUEHWEB

DE RUEHRL #3093/01 2980957
ZNY CCCCC ZZH
P 250957Z OCT 06
FM AMEMBASSY BERLIN
TO RUEHC/SECSTATE WASHDC PRIORITY 5782
INFO RUEHSW/AMEMBASSY BERN PRIORITY 0725
RUEHLO/AMEMBASSY LONDON PRIORITY 7578
RUEHRH/AMEMBASSY RIYADH PRIORITY 0221
RUEHFT/AMCONSUL FRANKFURT PRIORITY 6973
RUCPDOG/DEPT OF COMMERCE WASHDC PRIORITY
RUEAHLG/DEPT OF HOMELAND SECURITY WASHDC PRIORITY
RUEKJCS/SECDEF WASHDC PRIORITY

C O N F I D E N T I A L BERLIN 003093

SIPDIS

STATE FOR ISN, PM, AND EUR/AGS
FRANKFURT FOR ICE
SIPDIS

E.O. 12958: DECL: 10/25/2016
TAGS: [ETTC](#) [MASS](#) [PARM](#) [GM](#)
SUBJECT: U.S. OFFICIALS INSPECT SUSPECTED STOLEN U.S.
MILITARY VEHICLES IN GERMANY

REF: BERLIN 2662

Classified By: Minister-Counselor for Economic Affairs Robert F. Cekuta
, for reasons 1.4 (b) and (d).

¶1. (C) Summary: USG and German Customs officials inspected the German auto dealer Eble 4X4 Restaurationen, located in Lahr, Germany, on October 4, 2006, on suspicions that Eble planned to export stolen U.S. military HMMWVs (reftel) from Germany. Although the USG officials continued to harbor suspicions about the HMMWVs, Michael Shevock of U.S. Immigration and Customs Enforcement (ICE) reported that ICE had insufficient grounds to prevent the German Federal Economic and Export Licensing Agency (BAFA) from issuing a license to Eble to export one of the HMMWVs to Switzerland. In addition, Shevock said another HMMWV on Eble's premises was most likely stolen from USG facilities in the Middle East. However, since Eble imported it from a Saudi Arabian dealer with appropriate documentation, the German authorities would be unlikely to deny its export. Global Affairs officer subsequently urged German officials to bar the export of the remaining three HMMWVs because the vehicles are subject to Wassenaar Arrangement controls. The German officials were receptive to this argument and undertook to explore it. End Summary.

¶2. (C) Background: As reported reftel, the U.S. Defense Criminal Investigative Service (DCIS) in Wiesbaden, Germany, notified the German Government in spring 2006 that Eble intended to export four U.S. military HMMWVs that it suspected had been stolen from USG inventories. Eble had already obtained a license from the Department of Commerce to re-export one of the HMMWVs to Switzerland and then applied with BAFA for a German export license. BAFA appealed in reftel to the USG to provide information that it could use to determine whether to deny the export license. ICE officers in Frankfurt subsequently persuaded the German Government to allow USG officials to inspect the HMMWVs at Eble before BAFA made its decision.

¶3. (C) Shevock, DCIS agent John Schlotterer, Defense Logistics Agency (DLA) agent John Hayes, and German Customs (ZFI) Officer Guenther Friedrich inspected two HMMWVs at Eble on October 4. U.S. officials did not see the other two HMMWVs that DCIS had reported to the German Government. Shevock reported that USG inspectors determined that the HMMWV pending a German export license had come from a U.S. dealer and was a military vehicle. The U.S. officials had no reason to suspect that the vehicle had been stolen, though

its data plate was not original. According to Shevock, dealers are able to acquire data plates via the Internet and substitute them for the originals. The information on the HMMWV's current data plate -- which Eble used on its export license application with the U.S. Department of Commerce -- did not match the model type. According to Shevock, the vehicle's data plate listed the model type as an M1025, when in actuality the HMMWV was a model type M1097. Shevock said an M1025 is armored for combat use and on the U.S. Munitions List (USML), therefore requiring a Department of State-issued license. In contrast, the M1097, while still a military vehicle, is classified as a dual-use vehicle and controlled on Department of Commerce's Commodity Control List (CCL). Because the vehicle in question is an M1097 type and Commerce has granted a U.S. export license, Shevock said ICE would have no objection to BAFA granting a German export license.

14. (C) Shevock reported that the second HMMWV on Eble's premises had been stolen from a USG facility in the Middle East and was identified by the U.S. officials as an M1026, which is also USML-listed. This armored HMMWV, if used by criminals, would be difficult for law enforcers to stop. Nevertheless, by German legal standards, the vehicle is no longer subject to U.S. re-export control regulations, since Eble imported it from Saudi Arabia with the documentation required by German law, according to Shevock.

15. (C) Global Affairs officer on October 20 met German MFA Export Control Division Desk Officer Andreas Kauke and maintained that the German Government has the means to bar the export of the remaining three M1025 or M1026 HMMWVs. Emboff noted that armored all wheel-drive vehicles are on the Wassenaar Arrangement (WA) Munitions List, and that Germany, as a WA participating state, is obligated to prevent the

unauthorized transfer or re-transfer of listed items. Kauke acknowledged the point and said he would raise it with export control officials in the MFA and Ministry of Economics and Technology and report back to us.

16. (C) Post continues to engage with the German Government on this case and will report the MFA's subsequent substantive response septel.

TIMKEN JR